

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

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|--------------------------------------|---|-------------------------------|
| (1) ROBERT TEEL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 18-CV-189-KEW |
| |) | |
| (2) UNITED STATES OF AMERICA, |) | |
| |) | |
| Defendant. |) | |

COMPLAINT

1. The Plaintiff is a citizen of the State of Oklahoma.

2. This Court's jurisdiction is based on federal question, the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 2671-2680.

3. Venue is proper because the acts of negligence occurred in the Northern District of Oklahoma.

4. The Plaintiff has been a patient at the Claremore Indian Clinic/Hospital (CIH) for a number of years. In March 2012, agents and employees of the CIH took a blood sample from the Plaintiff to measure his Prostate-Specific Antigen (PSA). The Plaintiff's PSA was elevated at 4.78. The Plaintiff's PSA was 4.0 on August 25, 2014 and 7.17 on March 21, 2016. At that time, CIH ordered testosterone injections.

5. The choices and actions of the agents, servants and employees of CIH fell way below the standard of care because they should have referred Plaintiff to an urologist in 2012 and/or 2014 and/or earlier in 2016 in the face of such elevated PSA levels. In addition, testosterone injections are contraindicated in the presence of an elevated PSA.

6. The Plaintiff was not referred to an urologist until September 2016. The Plaintiff was diagnosed with prostate cancer on October 26, 2016. The testosterone treatment accelerated the growth of the cancer, making conservative treatment improbable. Earlier diagnosis and treatment during the time frames above would more likely than not have delayed and/or obviated entirely the need for surgery.

7. As a result, the Plaintiff has suffered serious and permanent injuries, including, but not limited to physical and mental pain and suffering and loss of enjoyment of life. Plaintiff has incurred medical expenses for treatment of injuries caused by the negligence of the Defendant's agents, servants and/or employees.

8. The Plaintiff has complied with the requirements of the Federal Tort Claims Act (FTCA). Notice was served on the United States of America on or about December 12, 2017. It has been more than six months since the Plaintiff first presented his claim to the appropriate federal agency and the agency has not made a final disposition of the claim.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the sum of \$3,000,000.00, interest, costs and such other relief to which he may be entitled.

Respectfully submitted,

s/Anthony M. Laizure
Anthony M. Laizure OBA 5170
LAIZURE LAW, PLLC
1616 S. Main Street
Tulsa, Oklahoma 74119
(918) 749-0749
Facsimile: (918) 518-7250
Email: TLaizure@LaizureLaw.com
Attorney for Plaintiff

Attorney Lien Claimed